

Fred Sullivan
Chairman

Janine L. Burke
Executive Director



Scott Avedisian
Mayor

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BOARD MEETING MINUTES

Thursday, September 27, 2012, 5:30 p.m.
Warwick Sewer Authority Conference Room
125 Arthur W. Devine Boulevard
Warwick, RI 02886

Board Members in attendance:	Board Members not present:
Fred Sullivan, Chairman	Gary Jarvis
Aaron Guckian, Secretary	
Steven Sylven, P.E.	Guests:
Peter Ginaitt	Dennis Setzko, P.E., AECOM
	Erik Meserve, P.E., AECOM
	Brian King, P.E., Crossman Engineering
	Frank Neri, Cedar Swamp Road
Staff present:	
Janine L. Burke, Executive Director	John Revens, Legal Counsel
Lynda Ortiz, Finance Customer Service Mgr	Lynn F. Owens, Administrative Coordinator

1. Call to Order At 5:32 p.m. Chairman Sullivan called this meeting to order.

2. Approval of Minutes

a. Approval of minutes from the regular meeting held August 23, 2012.

ACTION: Mr. Guckian moved approval. Mr. Ginaitt seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian and Sylven voted in favor of the motion. Motion approved.

3. Billing Services Division

a. WSA Sewer Assessment Deferment Policy

DISCUSSION/ACTION: Chairman Sullivan asked that this item be held until November; staff and legal counsel are working on this item.

b. Sewer Assessment Deferment (New)

Name	Year	Address	Reason
William J. & Madeline F. Nixon	1	281 Kirby Avenue, Plat 382 Lot 0114	Single family; 1.34 acres

ACTION: Chairman Sullivan stated this item will be held for one month.
Director Burke stated this is at the request of the Mayor's office.

c. Sewer Assessment Deferment (New)

Name	Year	Address	Reason
Kenneth E. & Sandra L. Olson	1	103 Florin Street, Plat 340 Lot 291	Single family; 4.8 acres

ACTION: Director Burke stated the Olsons were not in attendance, but the recommended deferment is in accordance with WSA regulations. Mr. Ginaitt moved approval. Mr. Sylven seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian and Sylven voted in favor of the motion. Motion approved.

d. Sewer Assessment Abatement

Name	Service Address	Reason	Amount
Frank Neri	v/l Cedar Swamp Road Plat 341 Lot 148	Abate balance of sewer assessment in exchange for corrected sewer easement. If vacant lot is ever developed, WSA will reassess at rate in effect at time of development	\$3,724.33

ACTION: Mr. Neri attended the meeting. Director Burke stated Mr. Neri brought to our attention that the sewer line that goes into the Cedar Swamp pump station is located outside the easement on his property. She stated that WSA worked with the City's surveyor to do a survey of the location of the line and the easement and found that Mr. Neri is correct. She stated we would like to agree, in exchange for abating the remaining sewer assessment on the parcel, that a new easement be drafted for Mr. Neri's signature and recorded in the land evidence records. She said she discussed alternatives with legal counsel and this seemed to be the most reasonable option.

Director Burke asked the Board to approve this abatement pending the recording of a new easement in the City's land evidence records. She said she will work with legal counsel on the language of the new easement. When asked how this could have happened, Director Burke speculated that a temporary construction easement was originally recorded prior to the sewer line being laid, and for some reason, the line was re-routed and laid in a different location and an as-built easement was not recorded.

Mr. Ginaitt suggested the accuracy of other sewer easements be confirmed. Director Burke stated we are in the process of recompiling all

WSA easements, as paper records were lost in the Flood. Legal counsel Jack Revens stated the current easements use metes and bounds descriptions to properly identify the location of the sewer lines. Mr. Neri stated he is agreeable to recording the new easement in exchange for the abatement of the balance of the sewer assessment.

Mr. Guckian moved approval of the abatement pending recording of the new easement in the land evidence records. Mr. Sylven seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian and Sylven voted in favor of the motion. Motion approved.

Mr. Ginaitt thanked Mr. Neri for his understanding during our emergency situation at the Cedar Swamp pump station.

4. Phosphorous Removal Project

a. AECOM to submit progress report

Erik Meserve reviewed a progress report on the phosphorous removal project. He reported that AECOM and WSA staff met with RIDEM in August to discuss combining the phosphorous project with the levee project. He said the revised schedule reflects that and pushes completion of construction for the phosphorous removal upgrade out to May 2015. Mr. Meserve stated from a phosphorous standpoint, the prior date of September 2014 is the end of the phosphorous (growing) season, and now we've pushed the end of construction to the beginning of the next growing season.

Regarding the nitrogen portion of this project, Mr. Meserve stated installation of new mixers is critical to meeting the lower nitrogen level; with the nitrogen permit not going into effect until the spring of 2014, the contractor will have 6-9 months to improve the levee in order to protect the new equipment from potential flooding.

Mr. Meserve also provided a revised schedule and notes on the 30% design review meeting held August 17, 2012. Director Burke stated that quite a few of our comments were incorporated into the design (replacement pages have been inserted into the design report binders). Mr. Meserve stated we should have the 60% design report to you in a few weeks. A design review meeting is set for October 19th. Mr. Setzko stated we are still on target for delivery of the plan to RIDEM by February 2013.

5. Flood Protection and Mitigation

a. Financial Report of Flood Expenses

Director Burke stated reimbursements from FEMA are trickling in. She said once we see the final invoice from Hart we will wrap that project up and submit to RIEMA.

b. Flood Protection progress report

Director Burke stated we have filed an appeal with RIEMA of their denial to fund improvements to the levee; the congressional delegation has put in a good word for us, writing a letter of support for the funding.

c. AECOM CONTRACT Amendment: Hydro and geotech investigations needed for final design of the levee improvements

RFP #2011-0198 Engineering Services Including Flood Protection and Mitigation Design, Amendment No.1 (final design work): \$303,000.

ACTION: Director Burke stated as a result of our meeting with RIDEM, they are in agreement that it makes sense to put the levee up first before we put in any new equipment. She said in the course of the meeting, Mr. Setzko mentioned that we need to start the geotech work soon before it gets too cold. She stated this item represents an amendment to the contract for preliminary engineering design to move ahead with the final design work which includes hydro and geotech investigation. Director Burke said we have no funds to pay for these services but she said she has asked the City Administration if we can use Community Development Block Grant (CDBG) disaster relief money to pay for at least this geotech work (\$103,000). She asked that the Board approve this contract amendment pending identification of funding.

Mr. Setzko reviewed with the Board the results of the July report on the levee project. He said a series of conclusions were drawn, including elevating the levee above the flood of record (31.5 feet) and the 500-year flood level (30.8 feet at present). He stated raising the levee three feet above those numbers would qualify us as a critical facility accredited to sustain a 500-year flood event. Board members agreed on the importance of improving the levee to protect our wastewater treatment facility.

Mr. Setzko stated the July report also looked at groundwater seepage at the facility. He stated the toe drain system in use is adequate; we need to look at some additional seepage in other areas of the facility. He stated the drainage system at Route 95 needs to be redesigned to mitigate drainage away from this facility. He stated the storm pumping system is fine. He said that AECOM also did a benefit cost ratio analysis that was used to request funding.

Mr. Setzko stated we now move into the final design phase of the project. He stated AECOM's cost estimate for the final design is \$303,000; this includes the geotech work.

Mr. Sylven stated his understanding was that we don't have the money for the final design of the levee project. Director Burke stated she is hopeful CDBG funds can be used to pay for the final design work. She said CDBG disaster relief funds paid for the preliminary design plans and she thought the Community Development office recognizes the importance of this facility to the entire city.

Funding options for the levee project were discussed, including WSA's appeal for grant funds, borrowing for the match, and reallocation of grant money not used by other communities.

Chairman Sullivan asked about the urgency of the geotech work. Mr. Setzko stated the timing of this task is important; the work must be done before the ground freezes and will take about two months. He also explained that RIDEM was willing to push off the timeline on the plant upgrades to allow WSA to build the levee to protect the new equipment required for the phosphorous removal project. Director Burke stated RIDEM has tentatively agreed to a 9-month extension of the phosphorus and nitrogen projects so we can build the levee first.

Mr. Ginaitt moved to amend AECOM's engineering services contract for flood protection and mitigation design to include final design work (first task being hydro/geotech evaluation) valued at \$303,000, subject to the availability of funding.

Mr. Guckian seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian and Sylven voted in favor of the motion. Motion approved.

Chairman Sullivan asked that the Board be advised as soon as funds become available.

d. Bellows Street Pumping Station

i. Crossman Engineering to submit progress report

Brian King, P.E. provided an update report on the Bellows Street pumping station. He stated the groundbreaking ceremony went well this morning. He stated shop drawings are being submitted and reviewed by Crossman, including dewatering, supportive excavation and the piles.

Mr. Sylven noted that the site was very clean this morning, with sedimentation control devices in place.

6. Operation and Maintenance Division

No operation and maintenance items to consider.

7. Collection Systems Division

- a. Infrastructure Improvement: 48" line under Interstate 95
Progress Report

DISCUSSION/ACTION: Director Burke stated Chairman Sullivan asked that this item be discussed. She stated Mr. Solitro has been working on creating a set of bid specifications for this project.

- b. Update on status of future sewer construction
 - i. Governor Francis Phase III
 - ii. Bayside I-III
 - iii. Northwest Gorton Pond
 - iv. O'Donnell Hill

DISCUSSION/ACTION: No new information.

8. Administrative Items

- a. Director's Report
 - i. Financial Report: report included in agenda packets.
 - ii. Administrative Schedule: Director Burke will be on vacation the week of October 1.

- b. Chairman's Report

- i. Changes to Enabling Legislation relative to Section 2.17 (b)
Mandatory connection to sewers

DISCUSSION/ACTION: Held from 8-23-12.

Chairman Sullivan asked that this be held one month.

- ii. Phosphorous Removal Project: Deadline extension

DISCUSSION/ACTION: Held from 8-23-12.

Chairman Sullivan asked that this be held one month.

- c. Sewer Assessment Committee Report: no report.

9. Consent Agenda - Correspondence

- a. WSA July 2012 monthly report to Mayor Avedisian (8-23-12)
- b. WSA to RIEMA: Letter of Commitment on levee improvements (8-23-12)

- c. Assessment deferment renewal Plat 364 Lot 417 (9-12-12)
- d. Assessment deferment renewal Plat 364 Lot 210 (9-13-12)
- e. WSA August 2012 financial report to City Council (9-5-12)
- f. WSA August 2012 monthly report to Mayor Avedisian (9-17-12)

ACTION: Mr. Ginaitt moved approval. Mr. Sylven seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian and Sylven voted in favor of the motion. Motion approved.

10. New Business

Introduction of new business to be docketed for an upcoming meeting or to be referred to the executive director or legal counsel for comment.

Mr. Ginaitt asked our engineering consultants to look into a new product called "FloodSax". Director Burke stated they will report back at next month's meeting.

Mr. Ginaitt suggested WSA look into the purchase of an available lot on Knight Street for the relocation of the Knight Street pumping station. Director Burke stated she will set up a meeting with the property owner and WSA legal counsel to discuss options. Chairman Sullivan stated he'd like to form a committee to conduct long range planning, identify all future pump station locations, zoning issues, permitting, etc. He asked for an update report on all pending sewer projects, to be reviewed at the next Board meeting. Mr. Ginaitt offered to serve on the sub-committee for long-range planning for sewer expansion and pump station locations. Mr. Revens stated in his experience it is difficult engaging owners about purchasing their lots without having funds available to acquire the lots.

Mr. Sylven asked for a report next month on the Cedar Swamp pump station regarding odor complaints and mitigating measures.

11. Old Business

- a. Amendments to By-Laws
- b. Modifications to Septage Hauling Regulations
- c. IPP Local Limits Study
- d. WSA Resolution Supporting Revenue Bond Issuance for new sewer construction projects
- e. Mandatory Sewer Connection Program/Connect Capable Fee
- f. WSA GIS Program update (scheduled for October 25, 2012 meeting)
- g. Amendment to GRA contract/design services for Bayside Sewers (tabled to November 15, 2012 meeting)

12. PUBLIC COMMENT PERIOD

No members of the public in attendance.

13. Adjournment

Mr. Ginaitt moved to adjourn. Mr. Sylven seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian and Sylven voted in favor of the motion. Motion approved.

At 6:44 p.m. this meeting ended.

Aaron Guckian, WSA Secretary

Date Approved